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CONSOL ENERGY.

Consolidation Coal Company

P.O. Box 566
Sesser, IL 62884
(618) 625-2041

October 26, 2007

Pamela Grubaugh-Littig
Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

Heating
c/015/0015
#2821

Re: Emery Deep Mine Permit C/015/015
Amendment to MRP (conditional approval info, revised PHC text, additional data Pre Sub Survey,
and water replacement)

Dear Mrs. Grubaugh-Littig:

Please consider this additional information pertaining to the October 23, 2007 conditional approval of the PHC update and full extraction amendment to the Mine Reclamation Plan for the Emery Mine. More specifically, our responses to the items in your letter are as follows:

- Item #1:** Additional text and maps have been included, in the PHC section, discussing the potential mining impacts.
- Item #3:** The updated Pre-Subsidence survey (CH V, App V-5) now includes the two sections of irrigation ditches as requested. The irrigation ditches will be surveyed next week and incorporated in Appendix V-5, prior to clean copy submittal.
- Item #4:** A discussion of water replacement as it pertains to the Emery town well is included at CH V, pg 42.

Item #2 of your letter will be addressed by April 1, 2008 as requested.

Enclosed please find three (3) copies of the submittal containing your staff's requested changes as redline strikeouts, and revised maps. Also attached please find executed C1 and C2 forms. A copy has been forwarded to your Price field office. A cd will be forwarded within a few days.

If you have any questions concerning this request, please contact me at (618) 625-6850.

Sincerely,

Richard Bowler for

John Gefferth
Environmental Engineer

CC: Karl Houskeeper – DOGM-Price Field Office-with attachments
Attachments

JAG/jag fullextracPHC.ZN.condapprv.doc

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DIV. OF OIL, GAS & MINING

File in: C/015/0015, 2007, Incoming
Refer to:
☐ Confidential
☐ Shelf
☒ Expandable
Date 10-26-07 For additional information

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: PHC update, planned subsidence for 15th W, 4th E, 6th W, Zero North

Description, Include reason for application and timing required to implement:

conditional approval info PHC data, Pre sub survey data

10/07

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☒ Yes ☐ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter

Print Name

Jonathan M. Pachter 10/24/07
Sign Name, Position, Date Gen. Mgr., Environmental Services

Subscribed and sworn to before me this 24th day of October, 2007

Notary Public

My commission Expires:

Attest:

State of

County of

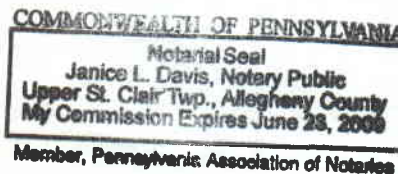
Janice L. Davis

June 23, 2009

Pennsylvania

Allegheny

} ss:



For Office Use Only:

Assigned Tracking
Number:

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DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: PHC update, planned subsidence for 15th W, 4th E, 6th W, Zero North; conditional approval info, 10/07

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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